

combination are now concisely recited in the new independent claim 67. Independent claim 73 is directed to the auction monitoring report, which includes tracking fields for monitoring the status of post-sale activities relating to closed auctions, and independent claim 82 is directed to the auction creation utility.

The primary reference relied on in the Official Action is Rackson, U.S. 6,415,270. Although Rackson in Fig. 4 and the accompanying text does disclose an auction monitoring system that posts auction submissions to a variety of auction sites and periodically revisits the auction sites to update the status of the user's pending auctions, this patent is mainly directed to computation of an optimum bid price for an item that the user want to purchase. Importantly for the present application, Rackson does not disclose or suggest any type of auction creation utility or an auction monitoring utility that includes tracking fields for monitoring the status of post-sale activities. In fact, the only disclosure in Rackson relating to the creation of auction submissions is the following statement appearing at 9/24-34:

The seller or the multi-auction service may specify the selling parameters of the offer to include, but are not limited to, some or all of the following: starting date and time; closing date and time; reserve price; a successful bid range; quantity of items; item description which may comprise in addition to text, graphic representation such as image file, photograph; audio file; video clip or other content that provides a representation of the item. These parameters may be defined by the seller with assistance by the multi-auction service or may be generated exclusively by the multi-auction service.

Although this passage contains a fairly exhaustive list of the items that may be included in an auction submission, it does not describe or suggest a menu-driven utility for creating and storing auction submissions using electronic libraries of stored resources including pre-defined auction submission templates, product images, and textual descriptions. None of the other references cited in the Official Action describe auction management systems or disclose or suggest similar features in connection with other types of systems. It should be noted, in particular, that Conklin, U.S. 6,141,653 has no detailed description of the cited figures 8, 12 and 15a, which, in any event, do not address an auction creation or management system. Rather, figure 8 is a flow chart regarding the shipping of ordered products, figure 12 shows a list of orders, and figure 15 shows a payment approval form.

With respect to the auction monitoring report, Rackson at figure 14 does disclose a type of auction monitoring report. However, this report is for a single item (not a consolidation of records for different items) that the user wants to purchase at an optimum bid price (not items offered for sale by the user) and does not contain any type of tracking fields pertaining to post-sale activities. The purpose of the report shown in figure 14 of Rackson is to help the user determine an optimum bid price, not to provide a consolidated report that helps the monitor and manage a large number of auctions. Again, none of the other references cited in the Official Action describe auction management systems or disclose or suggest the use of tracking fields for post-sale activities in a consolidated monitoring report in connection with other types of systems.

Conklin, in particular, does not disclose or suggest any type of consolidated monitoring report, and certainly does not disclose or suggest the use of tracking fields for monitoring the status of post-sale activities associated with close auctions. The portions of Conklin cited in the Official Action as allegedly showing these features, namely figures 1i, 7, 12 and 15 and the specification at 24/18-41, disclose no such thing. Figures 1i and 7 are a flow charts concerning the closing of a negotiation, figure 12 shows a list of orders, and figure 15 shows a payment approval form. Conklin at 24/18-41 merely describes figure 1i, which concerns the closing of a negotiation as memorialized in a shared document, and there is no detailed description of figures 7, 12 and 15. Applicant therefore submits that the claims, as amended, are patentable over the cited references.

CONCLUSION

It is believed that the claims entered by this accompanying Amendment are in condition for allowance. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call Mike Mehrman at (404) 497-7400.

Respectfully submitted,



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